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11 NACIO SYSTEMS, INC.

12
13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15

16 NACIO SYSTEMS, INC.) Case No.: C 07 3481
17 a Nevada corporation,)
18)
19 Plaintiff) PROPOSED TEMPORARY RESTRAINING
20 v.) ORDER (2) REGARDING USE OF TRADE
21) SECRETS AND COPYRIGHT INFRINGEMENT,
22) AND ORDER TO SHOW CAUSE RE
23 HERBERT GOTTLIEB, an individual;) PRELIMINARY INJUNCTION
24 SWIDENT, LLC, a California Limited)
25 liability corporation,)
26)
27 Defendants)
28)

TO DEFENDANTS HERBERT GOTTLIEB AND SWIDENT LLC:

You, your agents servants, employees and attorneys and those in active concert or participation with you or them ARE HEREBY RESTRAINED AND ENJOINED from:

1. Making any attempts to use, sell, copy or disseminate or distribute GASP, its Software Identification Database, the Registration Key Generator program used by PLAINTIFF NACIO SYSTEMS, INC. to enable users to activate copies of GASP or to download updates to

1 GASP or copies of the Software Identification Database;

2 2. Undertaking any acts that constitute infringement of PLAINTIFF NACIO
3 SYSTEMS, INC.'s copyrights in GASP or its component parts;

4 3. Making any contacts with individuals or entities listed on the copy of PLAINTIFF
5 NACIO SYSTEMS, INC.'s customer list taken from PLAINTIFF NACIO SYSTEMS, INC. by
6 DEFENDANT GOTTLIEB Gottlieb and are to return all copies of such list in their possession; and,

7 DEFENDANT HERBERT GOTTLIEB AND SWIDENT LLC ARE HEREBY
8 FURTHER ORDERED TO SHOW CAUSE at ____, on ____, 2007, or as soon thereafter as
9 counsel may be heard in the courtroom of the Honorable Phyllis Hamilton, located in Courtroom
10 3, 17th Floor, 450 Golden Gate Avenue, San Francisco, CA, why you, your officers, agents,
11 servants, employees and attorneys and those in active concert or participation with you or them,
12 should not be restrained and enjoined – pending trial of this action – from:

13 1. Making any attempts to use, sell, copy or disseminate or distribute GASP, its
14 Software Identification Database, the Registration Key Generator program used by PLAINTIFF
15 NACIO SYSTEMS, INC. to enable users to activate copies of GASP or to download updates to
16 GASP or copies of the Software Identification Database;

17 2. Undertaking any acts that constitute infringement of PLAINTIFF NACIO
18 SYSTEMS, INC.'s copyrights in GASP or its component parts;

19 3. Making any contacts with individuals or entities listed on the copy of PLAINTIFF
20 NACIO SYSTEMS, INC.'s customer list taken from PLAINTIFF NACIO SYSTEMS, INC. by
21 DEFENDANT GOTTLIEB Gottlieb and are to return all copies of such list in their possession; and,

22 The above Temporary Restraining Order is effective on Plaintiff's filing an undertaking
23 in the sum of \$ _____. This Order to Show Cause Re Preliminary Injunction and supporting
24 papers must be served on Defendants no later than ____ days before the date set for hearing,
25 and proof of service shall be filed no later than ____ court days before the hearing. Any response
26 or opposition to this Order to Show Cause must be filed and personally served upon Plaintiff's
27 counsel no later than ____ court days before the date set for hearing, and proof of service shall be
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1 filed no later than ____ court days before the hearing.

3 DATED: ____, 2007

5 /s/_____
6 Phyllis J Hamilton
United States District Court Judge

26 S:\Nacio\Pleadings\tRO ETC\tRO With Notice -- Substantive.wpd